

IN THE DISTRICT COURT FOR THE
STATE OF OKLAHOMA, OKLAHOMA COUNTY

REBECCA DANIELS,

Plaintiff,

vs.

UNUM LIFE INSURANCE
COMPANY OF AMERICA,

Defendant.

CJ -2011-9644

CASE No.:

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 6 2011

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

PETITION

Plaintiff, for her cause of action alleges and states:

1. This is an action brought pursuant to 29 U.S.C § 1001, et. seq. (ERISA).
2. The Court has jurisdiction pursuant to ERISA.

PARTIES

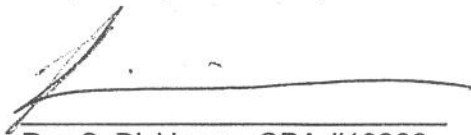
3. Plaintiff is a citizen of Oklahoma County, Oklahoma. Pursuant to her employment, plaintiff was covered by an employee benefit disability plan upon information and belief issued, sponsored and administered by defendant. The plan at issue provides for Defendant to pay Plaintiff benefits in the event of an illness or injury causing total disability.
4. At all relevant times, Plaintiff was covered by the said plan.
5. While covered by the plan, Plaintiff became unable to perform any occupation as a result of illness/injury; as a result of the illness/injury plaintiff has been and is disabled as defined by the plan; such disability entitles her to a cash monthly benefit from Defendant.
6. When Plaintiff became disabled, Plaintiff complied with all relevant administrative procedures regarding her claim for the benefits at issue, was

denied benefits by defendant, and complied with all administrative requirements regarding the said denial. Defendant's denial of benefits was arbitrary and capricious, and/or was in violation of relevant legal standards of review.

7. Defendant's denial of benefits is contrary to the benefit plan's express provisions and constitutes an abuse of discretion as well as a breach of Defendant's fiduciary and other ERISA-imposed duties owed to Plaintiff.
8. As a result of defendant's actions, Plaintiff has been damaged in the amount of accrued disability benefits and loss of other benefits; Plaintiff shall continue to accrue said damages and has also incurred legal costs and attorney's fees.
9. Plaintiff has exhausted her administrative remedies and this action is timely filed.

Wherefore, Plaintiff prays the court find that Defendant has breached their plan-imposed duties and award plaintiff all accrued benefits and further order Defendant reinstate all applicable benefits, to pay Plaintiff benefits that shall accrue in the future, and award all other appropriate relief, including costs, interest and attorney's fees.

Respectfully Submitted,



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ATTORNEY'S LIEN CLAIMED